



# County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION  
LOS ANGELES, CALIFORNIA 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

October 30, 2007

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: RD 146/446 MEDIANS –  
LANDSCAPE AND GROUNDS MAINTENANCE SERVICES  
IN THE UNINCORPORATED WEST AND SOUTH WHITTIER AREAS  
(SUPERVISORIAL DISTRICTS 1 AND 4)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that this service continues to be more economically performed by an independent contractor than by County employees.
3. Approve Amendment 2 to Contract No. 75831 with TruGreen LandCare, located in Gardena, California, for RD 146/446 Medians – Landscape and Grounds Maintenance Services, to expand the level of service commencing upon your Board's approval at an additional \$19,097.42 (prorated for the remainder of the first option year), to increase the current annual not-to-exceed amount from \$62,961 to \$82,058.42, to encumber an additional annual amount of \$23,760 (\$1,980 per month) for the subsequent final option year, and to increase the annual not-to-exceed amount for that option year from \$62,961 to \$86,721. Funding for the first year of this contract is available in the Fiscal Year 2007-08 Road Fund Budget. Funding to finance the contract's renewal years will be made available through the annual budget process.

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

4. Authorize the Director of Public Works or his designee to annually increase the contract amount up to an additional 25 percent of the annual contract sum for unforeseen, additional work within the scope of the contract, if required.
5. Authorize the Director of Public Works or his designee to execute the amendment upon proper execution by the contractor and approval as to form by County Counsel.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to amend Contract No. 75831 with TruGreen LandCare, located in Gardena, California, for RD 146/446 Medians – Landscape and Grounds Maintenance Services in the unincorporated West and South Whittier areas, to expand the service area to include the areas at Imperial Highway from Shoemaker Avenue to Carmenita Road, and Leffingwell Road from Imperial Highway to Carmenita Road.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1), Organizational Effectiveness (Goal 3), and Fiscal Responsibility (Goal 4). Having a contractor that has the specialized expertise to provide these services accurately, efficiently, timely, responsively, and in a cost-effective manner will support the Department of Public Works (Public Works) in meeting these goals.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund. Based on the contractor's quoted rate, the requested not-to-exceed increased annual contract amount of \$19,097.42 (prorated for the remainder of the first option year) for the current contract term, increasing the annual not-to-exceed amount from \$62,961 to \$82,058.42, commencing upon your Board's approval, and \$23,760 (\$1,980 per month) for the subsequent final option year to increase the annual not-to-exceed amount for the option year from \$62,961 to \$86,721, plus 25 percent contingency for unforeseen, additional work within the scope of work of the contract, if required.

Funding for the first year of this contract is available in the Fiscal Year 2007-08 Road Fund Budget. Funding to finance the contract's renewal years will be made available through the annual budget process.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The amendment, which is substantially reflected in the attached form, will continue the contract's current terms, specifications, and conditions. The Director of Public Works or his designee will execute the amendment in accordance with your Board's authorization upon proper execution by the contractor and approval as to form by County Counsel.

On August 1, 2006, Agenda Item 33, your Board approved this contract for an initial one-year period with two 1-year renewal options, for a total contract period of three years, commencing on August 20, 2006 to August 2009.

On August 20, 2007, this contract was amended to reflect the contractor's compliance with the increased Living Wage Program hourly rates for the remaining current and subsequent final option year of the contract. Under Amendment 1, the contractor's annual contract amount increased from \$58,880 to \$62,961.

Using methodology approved by the Auditor-Controller, Public Works has calculated the cost-effectiveness of contracting for this service. Based on the cost calculations, Public Works has determined that this service continues to be more economically performed by an independent contractor than by County employees.

Since this is a Proposition A contract, Public Works has determined that the contractor continues to comply with the requirements of the Living Wage Program (Los Angeles County Code Chapter 2.201) and agrees to continue to pay its full-time employees providing County services a Living Wage.

### **ENVIRONMENTAL DOCUMENTATION**

This service continues to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA). This service is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15301 (c) and (h) of the CEQA Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

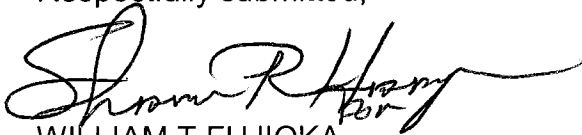
Approval of the amendment will continue the current contract services.

The Honorable Board of Supervisors  
October 30, 2007  
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**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works,  
Administrative Services Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shawn R. Fujioka" with a stylized flourish at the end. The signature is written over the printed name.

WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DLW  
GZ:dw

Attachment

c: County Counsel  
Office of Affirmative Action Compliance  
Department of Public Works (Road Maintenance)

AMENDMENT 2 TO CONTRACT NO. 75831

RD 146/446 MEDIANS – LANDSCAPE AND GROUNDS MAINTENANCE SERVICES

THIS AMENDMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, a general partnership (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75831 was entered into between the COUNTY and the CONTRACTOR, on August 1, 2006, to provide landscape median maintenance services for a period of one year commencing on August 20, 2006, with two 1-year renewal options; and

WHEREAS, this Contract was awarded under the authority of Los Angeles County Code Section 2.212 (Contracting with Private Business); and

WHEREAS, contracts awarded under this authority are subject to the provisions of the Los Angeles County Code Sections 2.201.010 through 2.201.100 (Living Wage Program); and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, the Board directed that all current COUNTY contracts subject to the Living Wage Program be amended to reflect the new rates when the contracts were either renewed for an option year or otherwise amended after June 15, 2007; and

WHEREAS, on August 20, 2007, the COUNTY renewed this Contract for the first option year; and

WHEREAS, starting August 20, 2007, the COUNTY requested to have the CONTRACTOR pay its employees at least the newly approved Living Wage Program's hourly rates; and

WHEREAS, the CONTRACTOR was willing to pay its employees for providing service under this Contract the revised Living Wage Program's hourly rates; and

WHEREAS, the COUNTY and the CONTRACTOR previously agreed to increase the annual Contract Maximum Amount from \$58,880 to \$62,961, or such greater sum as the Board may approve, to increase the "Cost per Frequency," and to reflect the COUNTY'S revised Living Wage Program's hourly rates; and

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WHEREAS, the CONTRACTOR was willing to continue to provide these services under the Contract's existing terms and conditions as amended by AMENDMENT 1; and

WHEREAS, in accordance with the Contract's Exhibit B, Service Contract General Requirements, Section 2.CC, Changes and Amendments of Terms, the COUNTY desires to extend the service area to include the areas at Imperial Highway from Shoemaker Avenue to Carmenita Road, and Leffingwell Road from Imperial Highway to Carmenita Road; and

WHEREAS, the CONTRACTOR is willing to perform landscape and grounds maintenance service in the extended service area under all terms as set forth in Contract No. 75831.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 75831 between them shall be amended as follows:

FIRST: The Contract is hereby amended to provide that the CONTRACTOR shall perform landscape and grounds maintenance service for the following additional extended service areas, commencing upon Board approval through August 19, 2009:

- Imperial Highway from Shoemaker Avenue to Carmenita Road, and
- Leffingwell Road from Imperial Highway to Carmenita Road.

SECOND: The monthly cost for providing landscape and grounds maintenance service for the additional extended areas will be \$1,980 per month, increasing the annual not-to-exceed amount from \$62,961 to \$82,058.42 (prorated for the remainder of the first option year) for current contract term, and \$62,961 to \$86,721 for the subsequent final option year.

THIRD: This Contract's LW-8, Cost Methodology, is reflected in the Attachment, only for the extended service areas for the optional year(s).

FOURTH: Except as modified by this AMENDMENT thereto, all other terms, conditions, requirements, and specifications of this Contract and Amendment 1 shall remain in full force and effect.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By \_\_\_\_\_  
Deputy

TRUGREEN LANDCARE, a general  
partnership composed of TRUGREEN  
LANDCARE, LLC; and TRUGREEN  
COMPANIES, LLC

By \_\_\_\_\_  
Regional Operations Manager

\_\_\_\_\_  
Type or Print Name

### **COST METHODOLOGY FOR CONTRACT:**

**PROPOSER: Trug Green Landcare**

[illegible]

\* All employees shown must be FULL-TIME employees of the proposer, unless exemption to use Part-Time employees has been granted by the County.

\*\*\* Minimum cost for health insurance is \$2.20/hour if hourly wage rate is between \$9.04 and \$11.84, unless exemption from Living Wage requirements has been granted by the County.

This cost methodology is to show, in detail, how the Proposer arrived at the proposed contract price. This methodology is to reflect employee classifications to be used (e.g., landscape maintenance laborer, working supervisor, etc.); hours to be worked daily, weekly, and annually by each classification; hourly and annual wages to be paid to each classification; estimated annual payroll taxes; estimated annual allowances for vacation, sick, holiday, health and welfare, and pension. Proposer's costs for insurance, supplies, equipment, overhead, and any other miscellaneous costs are to be shown as requested. These costs, plus the gross labor costs and projected profit, should total to the Proposer's annual price as quoted in Form PW-2, Schedule of Prices.

The above information was compiled from records that are available to me at this time and I declare under penalty of perjury that the information is true and accurate within the requirements of the proposal.

TruGreen Landcare

Name of Donor

8/17/2007

Nata